

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/845,669 Confirmation No.: 2276
Applicants : Brian Clark et al.
Filed : April 30, 2001
Art Unit : 3693
Examiner : Jocelyn Greimel
Atty Docket No. : 26548-0007

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

Responsive to the Notice of Allowability mailed on February 5, 2008, and the Examiner's Reasons for Allowance, the Applicants submit the following clarifying remarks. The Examiner's reasons for allowance reference all of the independent Claims 35, 50, 68, and 88 as not being taught or suggested by the prior art references but then only specifically lists the claim elements of Claim 50 when describing the allowed subject matter. (See Notice of Allowability, pages 4-5.) The Applicants wish to clarify that independent Claims 35, 50, 68, and 88 are each patentable over the prior art of record.

Moreover, the Applicants note that the reasons for allowance indicate that "Claims 35, 50, 68 and 88 are allowed because the best prior art of record, Payne, alone or in combination with Schirripa and/or Mody, neither discloses nor fairly suggests the limitations" (See Notice of Allowability, pages 4-5.) The Applicants wish to clarify that the independent Claims 35, 50, 68, and 88, as well as their respective dependent claims, are allowable over the entire art of record.

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Additionally, the Examiner's comments on the prior art, pages 3-4 of the Notice of Allowability, emphasize certain claim elements as not being disclosed in the prior art. However, such statements should not be construed as the only possible novel and non-obvious features of the Applicants' invention. The Applicants respectfully assert that the allowed claims may be considered novel and non-obvious over the cited prior art references for reasons other than those emphasized in the Examiner's statement of reasons for allowance.

Further, while the Applicants believe that the claims are allowable, the Applicants do not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

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